

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**CRIMINAL NO. 04-CR-10396-NG**

**v.**

**KAM WAI CHUI,**

**Defendant**

**DEFENDANT'S MOTION FOR LEAVE  
TO FILE SENTENCING MEMORANDUM LATE**

Defendant respectfully moves for leave to file his sentencing memorandum late.

As reasons therefore, the defendant says:

1. Counsel for the defendant are each solo practitioners.
2. Scheduling conflicts of counsel have delayed completion of the sentencing memorandum.
3. Assistant U.S. Attorney Mitchell was contacted by telephone on December 15, 2004, and stated that he had no objection to the late filing.
4. The sentencing memorandum will assist the Court in determining a just sentence for the defendant.

Respectfully submitted,

/S/ Mark W. Bennett  
MARK W. BENNETT #544435  
P.O. Box 509  
Milton, MA 02186  
Tel. 617 296 8282

---

Robert L. Jubinville  
487 Adams St.  
Milton, MA 02186  
Tel. 617 698 8000

**CERTIFICATE OF SERVICE**

I hereby certify that on this day I caused a true copy of the above document to be served by mail, fax, hand, electronically upon counsel of record for the government:

Jonathan F. Mitchell,  
Asst. U.S. Attorney  
John Jos. Moakley Courthouse  
1 Courthouse Way  
Boston, MA 02210

Signed under the pains and penalties of perjury this 16<sup>th</sup> day of December, 2004.

/S/ Mark W. Bennett  
Mark W. Bennett, Attorney for  
Kam Wai Chui